

FRANKFURT KURNIT KLEIN & SELZ PC

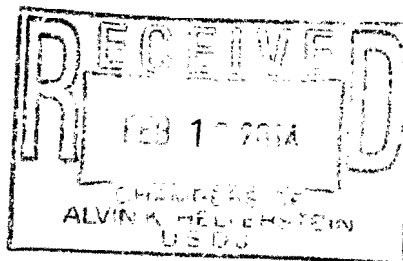
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February 14, 2014

**VIA HAND-DELIVERY**

Hon. Alvin K. Hellerstein  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, NY 10007



*Leave to file this under seal, including exhibits.  
Am. Pet'n is granted.  
2-18-14  
[Signature]*

Re: Vera v. Republic of Cuba, No. 12 Civ. 01596 (AKH)

Dear Judge Hellerstein:

We are writing on behalf of the three judgment creditors in this action, Alfredo and Gustavo Villoldo, Aldo Vera, Jr., and Jeannette Fuller Hausler (collectively, the "Petitioners") to enclose a courtesy copy of the Amended Omnibus Petition for Turnover Order (the "Amended Petition"), account for the delay in filing the Amended Petition, and request that the Court allow the filing under seal of the exhibits to the Amended Petition.

On December 9, 2013, the Court entered the Order with Respect to Giving Notice of Turnover Proceeding. Doc. No. 368. (The Order was signed on November 13, 2014, but not available via ECF until December 9, 2013.) The Order required the Petitioners and the Respondent Banks to identify, within 20 days, Blocked Assets at each of the banks for which Petitioners or the Banks believed an agency or instrumentality of Cuba served as an originator or originator's bank. Within 30 days, Petitioners were required to file the Amended Petition, identifying those Blocked Assets on separate schedules as either Phase I (Cuban originators) or Phase II (Cuban beneficiaries), and file those schedules under seal.

Over the next several weeks, Petitioners requested additional information from the Respondent Banks to allow Petitioners to make those Phase I or Phase II designations. Over the next several weeks the Respondent Banks disclosed additional information about the accounts and Petitioners analyzed several thousand Blocked Assets, making determinations regarding Phase I or II based on the information produced by the Respondent Banks and independent investigation of entities disclosed. Given the volume of material, Petitioners could not complete the review by the 20-day deadline. Petitioners sent the Respondent Banks a consolidated spreadsheet of all Phase I and Phase II designations on January 16, 2014.

Following the disclosure of Petitioners' Phase I and II designations, certain Respondent Banks challenged some of those designations and produced additional documentation to argue

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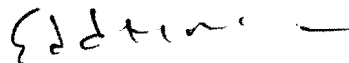
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for a Phase II designation instead of Phase I. Other banks produced documentation showing that many of the Blocked Assets were not EFTs at all, and so they could not fit squarely into a Phase I or II designation. Petitioners worked with the Respondent Banks for several weeks to avoid motion practice over the designations, and Petitioners agreed to change many of the designations based on the supplemental production. With respect to the non-EFT accounts, Petitioners have added a third schedule to the Amended Petition for each Respondent Bank, as applicable, which includes only non-EFT accounts.

The phase designation process took longer than expected and Petitioners were unable to finalize and file the Amended Petition until February 12, 2014. The Amended Petition, without the confidential account schedules, was filed that day. However, the Clerk of the Court will not allow Petitioners to file the schedules under seal because over 30 days have passed since the December 9, 2013 Order. Accordingly, given the above-described circumstances, we respectfully request that the Court direct the Clerk to allow the schedules to be filed under seal.

We apologize for any inconvenience that may have been caused resulting from the delay.

Respectfully submitted,



Edward H. Rosenthal

Enclosures (including documents to be filed under seal)

cc: All counsel (via email)

Judge wrote:

“Leave to file the Am. Pet’n, including schedules under seal, is granted.

2-19-14

Alvin K. Hellerstein”